

# **PARENTING TIME ("Visitation")**

# **4**

## **To Get The First Court Order**

### **Part 4: The Final Order**

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## SELF-SERVICE CENTER

### TO ESTABLISH PARENTING TIME (FORMERLY KNOWN AS “VISITATION”)

#### PETITIONER OR RESPONDENT

#### PART 4 -- THE COURT ORDER

This packet contains court forms and instructions about the final order on a ***“Petition to Establish Parenting Time.”*** Be sure the documents are in the following order.

| Order | File Number | Title   | No. Pp. |
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| 4     | DRV81f      | <b><i>“Order for Parenting Time”</i></b>                  | 3       |

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**SELF SERVICE CENTER**

**CHECKLIST FOR FORMS AND INSTRUCTIONS**

**TO GET COURT ORDER FOR PARENTING TIME**  
**(Formerly known as “Visitation”)**

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- ✓ You or the other party filed a ***“Petition to Establish Parenting Time,”***  
**AND**
- ✓ You are ready to complete the court papers about the final order,  
**AND**
- ✓ You are going to a default hearing, or you both agree on the settlement terms of the court case, or you are going to a trial on what you disagree about.

**READ ME:** It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

## SELF SERVICE CENTER

### INSTRUCTIONS

### HOW TO FILL OUT THE ORDER FOR YOUR CHILD PARENTING TIME CASE

**IMPORTANT NOTICE: DO NOT COMPLETE THIS COURT ORDER UNTIL YOU GO TO THE DEFAULT HEARING, OR UNTIL YOU AND THE OTHER PARTY GO TO TRIAL.**

The Order is the legal document that is the judge's order on the court lawsuit. The signed Order is important because it determines the rights and responsibilities of both you and the opposing party. If either party does not follow the Order, then the other can ask the court for help in enforcing the terms of the Order.

This order is designed for parties who want to get a court order of Parenting Time. You **cannot** use this form to establish paternity, custody, or support. Use this form **only** if you are the natural or adoptive parent of the child(ren) AND

- You already have a court order establishing paternity, **OR**
- You have a court order for child support.

If you want a court order for child custody and Parenting Time, the court will also want to review the current child support order. If there is no order, the court will establish child support in this case or, if the child support order needs to be changed, the court will do so in this case.

**NOTE: USE THESE INSTRUCTIONS ONLY WITH AN ORDER FOR SUPPORT, CUSTODY AND PARENTING TIME.**

**WHEN FILLING OUT ANY COURT FORMS, TYPE OR PRINT WITH BLACK INK ONLY!**

**IMPORTANT REMINDER!!** Your Order should repeat as closely as possible what you requested in your Petition, unless the opposing party has provided written consent to any changes. You **cannot** mark something different in the order from what you asked for in the petition, unless the change clearly benefits the opposing party. If you try to do this, the judge or commissioner will **not** sign the order. If you want to change your requests to the court, you must file an amended petition. It is a good idea to have your petition handy when you follow the instructions to fill out your order.

**The first part of the Judgment and Order--the Court Findings:**

1. This states that the court has all information necessary to enter a Judgment and Order.
2. This states that this court is able to make the Orders relating to you and the opposing party.
3. This states that the court will make only those Orders that are legally proper under the circumstances of your case.
4. Print or type the full name of the Petitioner and the Respondent in the spaces provided, then put the name of the child(ren) for whom Parenting Time/support is established and their date(s) of birth.
5. Write in the name of the person who has custody now. If it is someone other than mother or father, explain.
6. If you are asking for supervised or no Parenting Time for the other party, you must have a very good reason. Write that reason in here.

**The second part of the Judgment and Order--It Is Ordered That:**

1. Complete the Parenting Time plan here. Use the Petition as your guide -- you cannot write in something you did **not** ask for in the Petition, unless the other party agrees.
2. If you are asking for supervised Parenting Time, explain why.
3. If you want supervised Parenting Time, write in all the details about how that will be handled.
4. If there is any other order you want, write it in.

**Judge's signature, and copy for other party:**

You do not have a valid court order **until** the judge signs and dates the original order, which will occur at or after the default hearing or at the trial on the case. Be sure to get a certified copy of the signed order for your records. Also, if the other party does not have a copy, mail a copy of the signed and dated order to him or her.

## IN THE SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Regarding the Matter of:

Case No. \_\_\_\_\_

\_\_\_\_\_  
(Name of Petitioner)

### ORDER FOR PARENTING TIME ("Visitation")

AND

\_\_\_\_\_  
(Name of Respondent)

#### THE COURT FINDS AS FOLLOWS:

1. This case has come before this court for a final Order. The court has taken all testimony needed to enter final Orders.
2. This court has jurisdiction over the parties under the law.
3. Where it has the legal power to do so and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to child custody, support, Parenting Time, and expenses related to birth of the child(ren).

4. This order applies to the following child(ren):

**NAME(s)****DATE(s) OF BIRTH(s)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. The child(ren) is/are currently in the physical custody of:

☐ Mother                      ☐ Father

☐ Other (name) \_\_\_\_\_ as a result of (explain court case or government action or other reasons child(ren) is/are in custody of someone other than parent):

6. ☐ **(CHECK AND COMPLETE ONLY IF SUPERVISED PARENTING TIME OR NO PARENTING TIME IS ORDERED)**  
☐ **Supervised Parenting Time** between the children and ☐ the Petitioner OR ☐ the Respondent, **OR**  
☐ **No Parenting Time** between the children and ☐ the Petitioner OR ☐ the Respondent, is in the best interests of the children, because (explain here reasons for Supervised Parenting Time or no Parenting Time):

**THEREFORE, IT IS ORDERED THAT:**

1. ☐ Reasonable Parenting Time rights to (name) \_\_\_\_\_ as follows:  
(write in anything that you want to be **different** from your existing order)

**TRANSPORTATION:** will be provided by (name): \_\_\_\_\_  
as follows:

(explain) \_\_\_\_\_

During WEEKENDS (explain specifically): \_\_\_\_\_

During the SUMMER MONTHS OR SCHOOL BREAKS: (explain specifically) \_\_\_\_\_

FOR HOLIDAYS AND BIRTHDAYS: (explain specifically) \_\_\_\_\_

FOR TELEPHONE CALLS: (explain specifically) \_\_\_\_\_

OTHER: (explain specifically) \_\_\_\_\_

2. **(Complete and explain only if supervised Parenting Time is Ordered):** Supervised Parenting Time between the child(ren) and a parent is in the best interests of the children, pursuant to A.R.S. Section 25-337 and 25-338, because (explain reasons for supervision):

3. ☐ **Supervised Parenting Time** to (name) \_\_\_\_\_ only in the presence of another person, who is named by the court (suggestion below) upon a finding that supervised access is in the best interest of the child.

Person to supervise: \_\_\_\_\_

Case No. \_\_\_\_\_

Requested restrictions on Parenting Time: (explain here)

\_\_\_\_\_

\_\_\_\_\_

The cost of supervised parent/child access shall be paid by:

- ☐ the parent being supervised;  
☐ the parent having custody;  
☐ shared equally by the parties.

4. ☐ No Parenting Time rights to ☐ Petitioner or ☐ Respondent based on finding "#6" above.
5. **Other orders:** This court makes further Orders relating to this matter as follows: (explain -- use additional paper if necessary):

\_\_\_\_\_

**DONE IN OPEN COURT** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
**JUDGE OR COURT COMMISSIONER**